

MAR 15 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

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|                                       |   |                                     |
|---------------------------------------|---|-------------------------------------|
| KENNETH EDWARD BARBOUR,               | ) | Civil Action No. 7:10-cv-00091      |
| Plaintiff,                            | ) |                                     |
|                                       | ) |                                     |
| v.                                    | ) | <b><u>ORDER</u></b>                 |
|                                       | ) |                                     |
| INVESTIGATOR MCBRIBE, <u>et al.</u> , | ) | By: Hon. James C. Turk              |
| Defendants.                           | ) | Senior United States District Judge |

In accordance with the memorandum opinion entered this day, it is hereby

**ORDERED**

that the complaint is **DISMISSED** without prejudice; all pending motions are **DENIED** as  
**moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum  
opinion to plaintiff.

ENTER: This 15<sup>th</sup> day of March, 2010.

*James C. Turk*  
Senior United States District Judge